

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PASCAL GEDEON,
Plaintiff


v.

UNITED STATES *et al.*
Defendants

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CIVIL ACTION NO. 23-CV-1600

ORDER

AND NOW, this  day of May, 2023, upon consideration of Plaintiff Pascal Gedeon's Motion to Proceed *In Forma Pauperis* (Doc. No. 1), Prisoner Trust Fund Account Statement (Doc. No. 4), *pro se* Complaint (Doc. No. 2), and Motion for Standby Counsel (Doc. No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Pascal Gedeon, #46949-509, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of FDC Philadelphia or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Mr. Gedeon's inmate account; or (b) the average monthly balance in Mr. Gedeon's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Gedeon's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Mr. Gedeon's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of FDC Philadelphia.

4. The Complaint is **DEEMED** filed.

5. For the reasons stated in the Court's Memorandum, Mr. Gedeon's claims against Jacqueline C. Romero, Kelly M. Harrell, and Eileen Castilla Geiger are **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

6. The Clerk of Court is **DIRECTED** to terminate Jacqueline C. Romero, Kelly M. Harrell, and Eileen Castilla Geiger as defendants.

7. The balance of Mr. Gedeon's claims against all other defendants are **STAYED** pending the outcome of the criminal charges brought against Mr. Gedeon in *United States v. Gedeon*, No. 21-CR-210 (E.D. Pa.).

8. The Clerk of Court is **DIRECTED** to correct the spelling of defendant Tumblr Inc. on the docket.

9. Mr. Gedeon's Motion for standby counsel is **DENIED** as premature.

10. The time to serve process under Federal Rule of Civil Procedure 4(m) is **EXTENDED** to the date 90 days after the Court issues summonses in this case if summonses are issued.

BY THE COURT:



GENE E.K. PRATTER, J.